

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of

Everald Oliver Brown
2409 North Hastings Street
Orlando, Florida 32808-4320

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File No.: EB-02-TP-575
NAL/Acct. No. 200332700018
FRN 0007-9511-06

FORFEITURE ORDER

Adopted: July 18, 2003

Released: July 22, 2003

By the Chief, Enforcement Bureau:

1. In this *Forfeiture Order* (“*Order*”), we issue a monetary forfeiture in the amount of ten thousand dollars (\$10,000) to Everald Oliver Brown (“Mr. Brown”), for willful violation of Section 301 of the Communications Act of 1934, as amended (“Act”).¹ The noted violation involves Mr. Brown’s operation of a radio station on the frequency of 95.9 MHz without Commission authorization.

2. On March 31, 2003, the Commission’s Tampa, Florida Field Office (“Tampa Office”) issued a *Notice of Apparent Liability for Forfeiture* (“*NAL*”) in the amount of \$10,000 to Mr. Brown.² Mr. Brown has not filed a response to the *NAL*. Based on the information before us, we affirm the forfeiture.

3. **ACCORDINGLY, IT IS ORDERED THAT**, pursuant to Section 503(b) of the Act,³ and Sections 0.111, 0.311 and 1.80(f)(4) of the Commission’s Rules (“Rules”),⁴ Mr. Brown **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of \$10,000 for willfully violating Section 301 of the Act.

4. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the Rules within 30 days of the release of this *Order*. If the forfeiture is not paid within the period specified, the case may be referred to the Department of Justice for collection pursuant to Section 504(a) of the Act.⁵ Payment shall be made by mailing a check or similar instrument, payable to the order of the “Federal Communications Commission,” to the Federal Communications Commission, P.O. Box 73482, Chicago, Illinois 60673-7482. The payment should note NAL/Acct. No. 200332700018, and FRN 0007-9511-06. Requests for full payment under an installment plan should be sent to: Chief, Revenue and Receivables Operations Group, 445 12th Street, S.W., Washington, D.C. 20554.⁶

¹ 47 U.S.C. § 301.

² *Notice of Apparent Liability for Forfeiture*, NAL/Acct. No. 200332700018 (Enf. Bur., Tampa Office, released March 31, 2003).

³ 47 U.S.C. § 503(b).

⁴ 47 C.F.R. §§ 0.111, 0.311, 1.80(f)(4).

⁵ 47 U.S.C. § 504(a).

⁶ See 47 C.F.R. § 1.1914.

5. **IT IS FURTHER ORDERED THAT** a copy of this *Order* shall be sent by first class mail and certified mail, return receipt requested, to Everal Oliver Brown., 2409 North Hastings Street, Orlando, Florida 32808-4320.

FEDERAL COMMUNICATIONS COMMISSION

David H. Solomon
Chief, Enforcement Bureau